

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6980

BILL NUMBER: HB 1166

NOTE PREPARED: Jan 4, 2012

BILL AMENDED:

SUBJECT: Application of Foreign Law.

FIRST AUTHOR: Rep. Noe

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: **GENERAL
DEDICATED
FEDERAL**

IMPACT: No Fiscal Impact

Summary of Legislation: This bill has the following provisions:

- A. It provides that a court may not apply, enforce, or grant comity, res judicata, claim preclusion, or issue preclusion to a foreign law, ruling, or judgment if doing so would violate the fundamental liberties, rights, and privileges guaranteed by the United States Constitution or the Constitution of the State of Indiana.
- B. It provides that a provision in a contract or agreement: (1) that provides for the choice of foreign laws in its interpretation; or (2) that provides for the choice of venue or forum; and that would result in a violation of a fundamental liberty, right, or privilege guaranteed by the United States Constitution or the Constitution of the State of Indiana is void and unenforceable.
- C. It prohibits a court from granting certain motions if the transfer is likely to affect the constitutional rights of the nonmoving party.
- D. It provides that a court may not require or authorize any court to: (1) adjudicate or prohibit a religious organization from adjudicating ecclesiastical matters; or (2) determine or interpret the doctrine of a religious organization.

Effective Date: July 1, 2012.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected:

Information Sources:

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